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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,148	11/07/2001	Sandra S. Webb	BS00-339	4905
7590	06/07/2005		EXAMINER	
Withers & Keys LLC P O Box 71355 Marietta, GA 30007-1355			AL HASHEMI, SANA A	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/986,148	WEBB ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sana Al-Hashemi	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 12 July 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-50 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>8/23/04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. This action is issued in response to applicant's amendment filed 7/12/04.
2. Claim Status: 1-50 are rejected.
3. Applicant's arguments filed 7/12/04 have been fully considered but they are not persuasive.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-50 are rejected under 35 U.S.C 102(e) as being anticipated by Underwood (US Patent No. 6,633,878).

Regarding Claims 1, 12, 22, 33, 34, 36, 38, 39, 42, and 45, Underwood discloses a method for database configuration migration, the method comprising:

receiving an instruction to hold constant a configuration of a first database (see column 24, lines 49-53, Underwood);  
implementing a change in a configuration of a second database (see Fig. 21.1, 2102, column 72, lines 50-52, Underwood);

storing a configuration change transaction record based at least in part on the change in the configuration of the second database(see Fig. 21.1, 2104, column 72, lines 52-55, Underwood);

sending the configuration change transaction record; and implementing a change in the configuration of the first database based at least in part on the configuration change transaction record (see Fig. 21.1, 2106, column 72, lines 56-61, Underwood).

Regarding Claim 2, Underwood discloses a method wherein the first database includes first configuration data and a first plurality of data records (see column 25, lines 38-41, Underwood).

Regarding Claims 3,Underwood discloses a method further comprising holding constant the first configuration data based at least in part on receiving the instruction to hold constant the configuration of the first database (see column 27, lines 61-67, column 28, lines 1-4, Underwood).

Regarding Claim 4, Underwood discloses a method further comprising modifying one or more of the first plurality of data records (see column 83, lines 60-67, Underwood).

Regarding Claim 5, Underwood discloses a method further comprising adding one or more data records to the first plurality of data records (see column 44, lines 45-57, Underwood).

Regarding Claim 6, Underwood discloses a method further comprising deleting one or more data records of the first plurality of data records (see column 53, lines 63-67, Underwood).

Regarding Claims 7, 10, and 23, Underwood discloses a method wherein the first database includes first configuration data, a first plurality of data records, and a first audit log (see column 72, lines 58-64, Underwood).

Regarding Claim 8, Underwood discloses a method wherein the second database includes second configuration data and a second plurality of data records (see, column 72, lines 58-64, Underwood).

Regarding Claim 9, Underwood discloses a method wherein implementing the change in the configuration of the second database includes modifying the second configuration data (see Fig. 21.1, 2106, column 72, lines 56-61, Underwood).

Regarding Claims 11, and 48, Underwood discloses a method wherein implementing the change in the configuration of the second database includes modifying the second audit log based at least in part on implementing the change in the configuration of the second database (see column 72, lines 58-64, Underwood).

Regarding Claims 13, 14, 38, 40, 44, and 46, Underwood discloses a method further comprising a step for creating a configuration change transaction record based at least in part on the changed configuration of the second database (see column 11, lines 35-43, Underwood).

Regarding Claims 15, and 16, Underwood discloses a method further comprising storing the configuration change transaction record (see Fig. 9.2, Underwood).

Regarding Claims 17, 37, 43, and 49, Underwood discloses a method further comprising holding constant the configuration of the first database prior to changing the configuration of the second database (see column 230, lines 9-15, Underwood).

Regarding Claims 18, and 50, Underwood discloses a method further comprising creating a configuration change transaction record based at least in part on the changed configuration of the second database (see column 86, lines 60-67, Underwood).

Regarding Claims 19, 27, 35, 41, and 47, Underwood discloses a method wherein the configuration changes transaction record is stored in a transportable file format (see column 16, lines 8-13, Underwood).

Regarding Claims 20, 21, 28, and 29, Underwood discloses a method wherein the configuration change transaction record is sent from a host server to a remote server, the host server coupled to the second database, the remote server coupled to the first database (see Fig. 51, 5100, column 21, lines 8-9, Underwood).

Regarding Claims 24, and 26, Underwood discloses a system wherein the second database is based at least in part on a copy of the first database (see column 84, lines 16-20, Underwood).

Regarding Claim 25, Underwood discloses a system wherein the first database is a first instance of a database and the second database is a second instance of the database (see Fig. 72.2, 7236, 7238, Underwood).

Regarding Claims 30, and 31, Underwood discloses a system wherein the configuration change transaction record is stored on the server (see Fig. 18.2, 1802, Underwood).

Regarding Claim 32, Underwood discloses a system wherein the first configuration data of the first database is modified based at least in part on the configuration change transaction record (see column 30, lines 19-27, Underwood).

***Response to Amendment***

Applicant argues that Underwood fail to discloses “a configuration of a second database is changed, a change transaction record based at least in part in the configuration change is stored and then sent, and a configuration of a first database is changed based at least in part on the configuration change transaction record.”

Examiner disagrees. Referring to the Summary of the invention Col. 2, lines 12-18, Col. 72, lines 50-55, Underwood discloses the method of configuration of a second database is changed, a change transaction record based at least in part in the configuration change is stored and then sent, and a configuration of a first database is changed based at least in part on the configuration change transaction record.

Applicant argues that the Underwood fails to disclose the method of “implementing a change in configuration of one database based at least in part on configuration change transaction record that is itself based at least in part on a change in configuration of another database.”

Examiner disagrees. Referring to Col. 72, lines 55-64, Underwood discloses the implementing a change in configuration of one database based at least in part on configuration change transaction record that is itself based at least in part on a change in configuration of another database.

Applicant argues that the Underwood fails to disclose “a change in configuration includes a change to the structure of the database such as number of fields or length of fields.”

Examiner disagrees. Applicant is arguing features not claims (number of fields or length of fields), however, referring to the Summary of the invention Col. 2, lines 12-18, Underwood disclose the data structure change.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

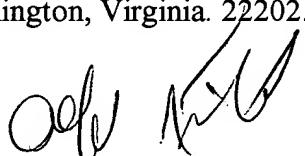
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is (571) 272-4013. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahić, can be reached on (571) 272-4023. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6<sup>th</sup> Floor Receptionist, Arlington, Virginia. 22202.

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Sana Al-Hashemi  
Patent Examiner  
Technology Center 2100  
May 18, 2005



ALFORD KINDRED  
PRIMARY EXAMINER